

## REMARKS

Claims 1-12, 14-22, and 24-27 remain in the case. Claims 28-32 have been added. Claim 1 has been amended.

Claim 1, as amended, recites a method for estimating the propensity of a vehicle to rollover. The lateral kinetic energy of the vehicle is determined in response to the longitudinal velocity and the vehicle side slip angle. A minimum potential energy required for a vehicle rollover is calculated. The potentiality rollover index is then determined in response to the lateral kinetic energy, the minimum potential energy, and the lateral acceleration. The present invention provides a method that estimates the propensity of the vehicle to rollover thereby allowing counter measures to be taken for preventing the rollover from occurring.

Both Watson and Fukatani, as cited in the office action dated 10/28/2005, fail to teach or suggest each limitation of claim 1, let alone the invention as a whole. Watson determines the rotational kinetic energy of the vehicle for detecting the rollover occurrence based on the actual rollover already occurring. Fukatani describes a method of estimating the movement state variable in the cornering of a vehicle and makes no reference to estimating the propensity of a vehicle to rollover or any rollover occurrence for that matter. There is no motivation found in either of these references that would enable one skilled in art to combine such references to teach or suggest the limitations of the claim 1. Moreover, Le et al., cited in the office action dated 3/25/2005, as applied to claim 1 also fails to teach or suggest each of the limitations of amended claim 1.

Allowable claims 2-12, 14-22, and 24-27 remain in the case and remain unchanged. Claims 2-12, 14-122, and 24-27 are allowable as set forth in the office action dated 10/28/2005.

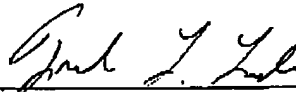
Claims 28-32 are newly added and are also allowable over the prior references, Fukatani and Watson, as cited in the office action dated 10/28/2005, and Le, cited in the office action dated 3/25/2005, which fail to teach or suggest the limitations of each of the respective claims.

(10/719,968)

Concurrently with the filing of the RCE is a newly submitted information disclosure statement. Applicant request examination of the claims for the newly submitted reference.

In view of the foregoing amendment and remarks, all pending claims are in patentably distinguishable over the cited prior art and appear to be incondition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,



---

Frank L. Lollo  
Reg. No. 48,854

MacMillan, Sobanski & Todd, LLC  
One Maritime Plaza, Fourth Floor  
720 Water Street  
Toledo, Ohio 43604  
Tel: 734-542-0900  
Fax: 734-542-9569

(10/719,968)

9